

In the Court of Appeals of the State of Alaska

Jimmy A Lampley,
Appellant,

v.

State of Alaska,
Appellee.

Court of Appeals No. **A-12646**

Order
Dismiss Appeal

Date of Order: **January 7, 2020**

Trial Court Case No. **3PA-16-00276CR**

In July 2019, this Court remanded this case to the superior court for an evidentiary hearing. The superior court, however, notified this Court that the Appellant, Jimmy Aaron Lampley, failed to appear for the evidentiary hearing. Because Mr. Lampley failed to appear, the superior court issued a bench warrant. Because of Mr. Lampley's absence, the superior court is unable to comply with this Court's remand order.

The Court then ordered Mr. Lampley's attorney to show cause why this appeal should not be dismissed because Mr. Lampley's whereabouts were unknown. Mr. Lampley's attorney responded, requesting a stay until early January, and explaining that it was his understanding that Mr. Lampley was out of state but would return to Alaska before January 1, 2020.

The Court granted the stay, but required the attorney to file a status report on January 2, 2020. The status report has now been filed. According to the report, despite multiple efforts, the attorney has had no contact with Mr. Lampley.

Because Mr. Lampley failed to appear for the evidentiary hearing that this Court ordered upon remand and his whereabouts are currently unknown, this appeal is **DISMISSED**.

Entered at the direction of Chief Judge Allard.

Clerk of the Appellate Courts

Meredith Montgomery

cc: Court of Appeals Judges
Judge Wolfe
Trial Court Clerk - Palmer

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